

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District – Disciplinary Proceedings instituted under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Enquiry conducted – Imposed penalty of 5% cut in pension for a period of two (2) years – Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.RT.No. 303

Dated:29.04.2015

Read the following:-

- Ref: 1.From Hon'ble Lokayukta Complaint No.54/2009/B2, dt.18.02.2009.
2.From DT&CP, A.P. Hyd Lr.Roc.No.1801/2009/V.Cell, dt.29.04.2009 & 23.06.2009.
3.G.O.Rt.Nos.943, MA&UD(L2) Dept.,dated.07.07.2009.
4.WSD of Sri P.Venkateswerlu, dt.17.05.2011.
5. G.O.Rt.No. 1262, MA&UD(L2) Dept dt.04.11.2010.
6.From Sri V.Narendar Rao, Add.Chief City Planner & Inquiry Authority Lr.No.6/GHMC-Addl.CCP-IA/2011-11, dt.11.08.2011.
7.Govt.Memo No.3266/L2/2003-26, dt.19.09.2011.
8.Written representation of Sri P.Venkateswera Rao, dt.08.11.2011.
9.Govt.Memo No.3266/L2/2009-31, dt.13.04.2012.
10.Written representation of Sri P.Venkateswera Rao, Municipal Commissioner(Retd), dt.25.04.2013.
11.Govt. Letter No. 3266/Vig.II-2/2009, dated.02.12.2014 addressed to the Secretary, APPSC., Hyderabad.
12.From Secretary, APPSC, Hyderabad Lr.No.59/RT/3/2015, dt.28.01.2015.

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O R D E R:

In the reference 1st cited, the Hon'ble Institution of Lokayukta in his reference 1st cited has requested to furnish report as directed by the Hon'ble Upa Lokayukta on the Complainant No.54/2009/B2 filled by Sri Mudunuru Rama Rao, President of the Balaji Co-operative Building Society Limited, Machilipatnam against Sri N.J.Ratna Kumar, TPS, Machilipatnam Municipality for his mischief for delay in processing the lay out of the Balaji Co-operative Building Society Limited, Machilipatnam.

2. In the reference 2nd cited, based on the report furnished by RDDTP, Guntur, the Director of Town & Country Planning, Hyderabad has initiated disciplinary proceedings against Sri N.J.Ratna Kumar, the then TPS of Machilipatnam Municipality as per Rule 20 of APCS(CCA) Rules, 1991. Charges have been issued against all the Charged Officers with a request to submit their written statement of defense.

3. In the reference 3rd read above, articles of charges have been issued in respect of Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 for mischief and delay in processing the lay out of the Balaji Co-operative Building Society Limited, Machilipatnam:-

CHARGE No.1

That the said Sri P.Venkateswara Rao, while functioning as Commissioner in Machilipatnam Municipality during the period of his officiation had colluded with Sri N.J.Ratna Kumar, TPS in the unlawful deeds of the later and there by held responsible for the same.

CHARGE No.2

That the said Sri P.Venkateswara Rao, while functioning as Commissioner in Machilipatnam Municipality during the period of his officiation had acted against procedure and there by held responsible.

CHARGE No.3

That the said Sri P.Venkateswara Rao, while functioning as Commissioner in the aforesaid Municipality disobeyed the orders of his higher authorities and during the period of his officiation has not acted as per rules and there by held responsible for the same.

CHARGE No.4

That the said Sri P.Venkateswara Rao, while functioning as Commissioner in the aforesaid Municipality during the period of his officiation in the Municipality had failed to discharge his legitimate duties with due care and diligence and there by held responsible for the same.

4. In the reference 4th read above, the charged officer has submitted his written statement of defense. On the examination of the matter, Government have appointed the Enquiry Officer and Presenting Officer to conduct regular enquiry in the matter vide reference 5th read above.

5. In the reference 6th read above, the Enquiry Officer has submitted his enquiry report and out of 4 charges, 3 charges are held proved in respect of Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District, who retired on 31.03.2009.

6. In the reference 7th read above, copy of Enquiry Report was communicated to the Charged Officer to offer his representation in terms of Rule 21(2) of APCS(CCA) Rules, 1991. In the reference 8th read above, Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District while denying all charges has submitted his written representation.

7. Government after examination of the matter including the representation of the charged officer and after duly consulting the Advisory Authority, have provisionally decided to impose a penalty of 5% cut in pension for a period of two (2) years against him. Accordingly, in the reference 9th read above, a show cause notice has been issued as to why a penalty of 5% cut in pension for a period of two (2) years shall not be imposed against him under Rule-9 of AP Revised Pension Rules, 1980 with a direction to submit his written representation within 15 days.

8. In the reference 10th read above, Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District while denying all charges framed against him has requested the Government to consider his representation and exonerate from the charges leveled against him without adducing any new grounds in his explanation.

9. Government after examination of the matter have decided to confirm the proposed penalty. Accordingly in the reference 11th read above, the Secretary A.P.P.S.C, A.P, Hyderabad was addressed to convey their concurrence to the above proposal. In the reference 12th read above, the Secretary, APPSC, Hyderabad has stated that the Commission has agreed the above proposal of Government to impose a penalty of 5% cut in pension for two years against the charged officer(Retd).

10. Government after examination of the matter hereby impose a penalty of 5% (five per cent) cut in pension for a period of two (2) years against Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District in terms of Rule-9 of AP Revised Pension Rules, 1980.

11. The Commissioner and Director of Municipal Administration, A.P, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. JAYALAKSHMI
SECRETARY TO GOVERNMENT

To

Sri P. Venkateswara Rao, the then Municipal Commissioner(Retd), Machilipatnam Municipality, Krishna District – **through** the Commissioner and Director of Municipal Administration, A.P, Hyderabad

The Commissioner and Director of Municipal Administration, AP, Hyderabad.

Copy to:

The Regional Director-Cum-Appellate Commissioner of Municipal Administration, Rajahmundry.

The Principal AG(A&E), AP, Hyderabad.

The Secretary, AP Vigilance Commission. A.P. Secretariat.

The Secretary, APPSC, Nampally, Hyderabad

The Commissioner, Machilipatnam Municipality,

Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER